

## **AMENDMENTS TO THE CLAIMS**

This listing of claims replaces all prior versions, and listings, of claims in the application:

### **Listing of Claims:**

1. (Currently Amended) In a system that includes a recording apparatus, a method for controlling the recording apparatus in response to programs that have been selected for recording and that have coinciding broadcast times, the method comprising the acts of:

receiving user input from a particular user selecting a first program for recording, the first program having a first broadcast time;

thereafter, receiving user input from the particular user selecting a second program for recording, the second program having a second broadcast time that at least partially coincides with the first broadcast time;

determining that, at the time the user input selecting the second program for recording is received, a conflict exists between the first program and the second program;

storing, at the system, information specifying that the particular user has selected both the first program and the second program to be recorded, despite the existence of the conflict at the time the user input selecting the second program is received;

the system automatically selecting the first program for recording;

programming the recording apparatus to schedule recording of the first program at the first broadcast time; and

subsequent to programming the recording apparatus to record the first program at the first broadcast time, continuing to store, at the system, the information specifying that the user has selected the second program to be recorded at the second broadcast time which is at least partially coinciding with the first broadcast time, without requiring a user to resolve the conflict, wherein the continued storage preserves the possibility of automatically scheduling the recording of the second program;

in response to a subsequent event, wherein the subsequent event comprises at least one of detecting that a new tuner has been added to the recording apparatus or detecting that at least one of a start or stop time for at least one of the first program or second program has changed from the first broadcast time or second broadcast time

respectively, automatically programming the recording apparatus to schedule recording of the second program subsequent to programming the apparatus to schedule recording of the first program and using the stored information specifying that the user has selected to second program to be recorded without requiring the user to reselect the second program to be recorded.

2. (Original) A method as recited in claim 1, further comprising the act of communicating to the user information specifying that the conflict exists and that the second program is to be recorded only if the conflict is resolved prior to the second broadcast time.

3-4. (Cancelled)

5. (Presently Presented) A method as recited in claim 1, wherein the subsequent event comprises the first program being preempted such that the first program is not broadcast at the first broadcast time.

6. (Cancelled)

7. (Previously Presented) A method as recited in claim 1, wherein the subsequent event comprises at least one of a start time and an end time of at least one of the first program and the second program changing from that which was scheduled, such that no portion of the first program coincides with any portion of the second program.

8. (Previously Presented) A method as recited in claim 7, wherein the subsequent event comprises the act of analyzing broadcast data broadcast on a channel that includes one of the first program and the second program, the broadcast data identifying said at least one of the start time and the end time of said at least one of the first program and the second program.

9-21. (Cancelled)

22. (Currently Amended) In a system that includes a recording apparatus, a method for resolving conflicts between programs that have been selected for recording and have coinciding broadcast times, the method comprising the acts of:

receiving, from a particular user, input selecting a first program for recording, the first program having a first broadcast time;

receiving, from the particular user, input selecting a second program for recording, the second program having an expected second broadcast time having an expected start time and an expected end time, wherein the expected broadcast time at least partially coincides with the first broadcast time;

storing, at the system, information specifying that input has been received from the particular user selecting both the first program to be recorded at the first broadcast time and the second program to be recorded at the expected second broadcast time, despite the existence of a conflict existing at the time the user input selecting the second program is received, the conflict existing inasmuch as the expected second broadcast time at least partially coincides with the first broadcast time;

continuing to store, at the system, the information specifying that input has been received selecting both the first program and the second program to be recorded at the first broadcast time and the expected second broadcast time, respectively ~~which are at least partially coinciding~~;

monitoring broadcast data on a channel on which the second program is to be broadcast to determine that at least one of an actual start time and an actual end time differs from the respective expected start time and expected end time; and

upon determining that at least one of an actual start time and an actual end time of an actual second broadcast time differs from the respective expected start time and expected end time, determining whether both the first program and the second program can be recorded as a result of the actual broadcast time and the first broadcast time not coinciding and using the stored information specifying that input has been received selecting both the first program and the second program to be recorded, and, if so, recording both the first program and the second program using the recording apparatus

23. (Original) A method as recited in claim 22, wherein the first broadcast time does not coincide with the expected second broadcast time and the first broadcast time at least partially coincides with an actual second broadcast time defined by the actual start time and the actual end time, such that:

the act of determining whether both the first program and the second program can be recorded results in a determination that one of the first program and the second program cannot be recorded.

24. (Original) A method as recited in claim 23, further comprising the act of recording all of the second program during the actual second broadcast time as opposed to recording only that portion of the second program that is broadcast during the expected second broadcast time.

25. (Currently Amended) A method as recited in claim 22, wherein the first broadcast time at least partially coincides with the expected second broadcast time and the first broadcast time does not coincide with an actual second broadcast time defined by the actual start time and the actual end time, such that:

~~a~~the conflict between the first broadcast time and the expected second broadcast time is resolved and both the first program and the second program are recorded.

26-31. (Cancelled)

32. (Original) A method as recited in claim 4, further comprising the acts of:  
receiving user input selecting a third program for recording at a third broadcast time; and

prior to the act of programming the recording apparatus to record the second program and in response to the subsequent event reconsidering which of the selected programs including the second program and the third program, are to be recorded, using a priority list that lists the programs in an original order in which the selected programs were selected.

33. (Original) A method as recited in claim 4, further comprising the acts of:  
receiving user input selecting a third program for recording at a third broadcast time; and  
prior to the act of programming the recording apparatus to record the second program and in response to the subsequent event, reconsidering which of the selected programs, including the second program and the third program, are to be recorded, using a priority list that lists the selected programs first by whether the recording apparatus was originally programmed to record the selected programs and second in an original order in which the selected programs were selected.